



# **THE ATTORNEY GENERAL OF TEXAS**

**AUSTIN, TEXAS 78711**

**JOHN L. HILL  
ATTORNEY GENERAL**

July 22, 1975

The Honorable Leonard Prewitt  
Executive Secretary  
Teacher Retirement System of Texas  
1001 Trinity Street  
Austin, Texas 78701

Open Records Decision No. 104

Re: Whether teacher  
retirement records  
are public informa-  
tion under the Open  
Records Act

Dear Mr. Prewitt:

You have requested our decision as to whether teacher retirement records regarding an individual's account are public information under the Open Records Act.

The Open Records Act, article 6252-17a, V. T. C. S., declares to be public all information collected by a governmental body pursuant to law, with certain exceptions, one of which exempts from disclosure:

information deemed confidential by law,  
either Constitutional, statutory, or by  
judicial decision. Art. 6252-17a, §3(a)(1),  
V. T. C. S.

Section 2 of Senate Bill 61, 64th Leg., ch. 81, p. 221 amended subsection (a) of section 2 of article 6228i, V. T. C. S., to provide:

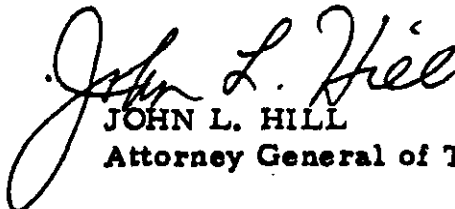
It is expressly provided that records of all individual members and beneficiaries in the custody of the state retirement systems named in this Act are to be considered in the manner of personnel records, and such records are hereby deemed to be confidential information under the provisions of Ch. 424, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-17a, V. T. C. S.).

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The Teachers Retirement System is specifically included within the terms of article 6228i, V. T. C. S.

The 1975 amendment to article 6228i was effective on April 30, 1975. The request for teacher retirement records was received after the effective date of the statute. The statute, in clear and straightforward language, expressly makes confidential the records of individual members and beneficiaries of the Teacher Retirement System. Accordingly, it is our decision that teacher retirement records regarding an individual are excepted from disclosure under section 3(a)(1) of the Open Records Act.

Very truly yours,

  
JOHN L. HILL  
Attorney General of Texas

APPROVED:

  
DAVID M. KENDALL, First Assistant

  
C. ROBERT HEATH, Chairman  
Opinion Committee